



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.  
*William J. Thomas*  
Executive Director of the Board

## BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED
Registered Nurse License Number 821194	§	
issued to LETICIA ADRIANA BARRAZA	§	ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that LETICIA ADRIANA BARRAZA, Registered Nurse License Number 821194, hereinafter referred to as Respondent, may be subject to discipline pursuant to Sections 301.452(b)(10)&(13) and 301.453, Texas Occupations Code.

An informal conference was conducted on May 17, 2016, in accordance with Section 301.464, Texas Occupations Code. Respondent appeared in person. Respondent was represented by Taralynn R. Mackay, Attorney at Law.

### FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received a Baccalaureate Degree in Nursing from The University of Texas, Arlington, Texas on May 12, 2012. Respondent was licensed to practice professional nursing in the State of Texas on July 3, 2012.
5. Respondent's nursing employment history includes:

7/2012 - 8/2015	Registered Nurse Charge Nurse	Baylor All Saints Medical Center Fort Worth, Texas
9/2015 - Present	Registered Nurse Clinical Supervisor	Maxim Healthcare Services Fort Worth, Texas

6. At the time of the incident, Respondent was employed as a Charge Nurse Baylor All Saints Medical Center, Fort Worth, Texas, and had been in that position for three (3) years and one (1) month.
7. On or about August 26, 2015, while employed as the Charge Nurse with Baylor All Saints Medical Center, Fort Worth, Texas, Respondent inappropriately stopped the sedatives on Patient Number 1583954, without a physician's consultation or orders. Further, Respondent participated in having the patient extubated and the withdrawal of care of the patient, at the request of the patient's husband, without a physician's consultation or orders. Subsequently, the patient, who was admitted to the Intensive Care Unit (ICU) died. Respondent's conduct led to patient demise in that the physician did not have an opportunity to consult with the patient and her husband before the withdrawal of care occurred.
8. On or about August 26, 2015, while employed as the Charge Nurse with Baylor All Saints Medical Center, Fort Worth, Texas, Respondent exceeded her scope of practice when she participated in the withdrawal of care on the aforementioned Patient Number 1583954 without a physician's consultation or orders. Subsequently, the patient, who was admitted to the Intensive Care Unit (ICU), died. Respondent's conduct was outside her authorized scope of practice and led to patient demise from the withdrawal of care, and deprived the patient of the benefit of a physician's expertise.
9. On or about August 26, 2015, while employed as the Charge Nurse with Baylor All Saints Medical Center, Fort Worth, Texas, Respondent failed to adequately supervise the nursing care provided to the aforementioned Patient Number 1583954, in that the staff she was administratively responsible for withdrew care on the patient without a physician's consultation or orders. Subsequently, the patient, who was admitted to the Intensive Care Unit (ICU), died. Respondent's conduct resulted in patient demise.
10. On or about August 26, 2015, while employed as the Charge Nurse with Baylor All Saints Medical Center, Fort Worth, Texas, Respondent failed to notify the physician prior to withdrawing care on the aforementioned Patient Number 1583954. Respondent's conduct unnecessarily exposed the patient to demise from a lack of physician expertise.
11. In response to the incidents in Findings of Fact Numbers Seven (7) through Ten (10), Respondent states the patient was critically ill and had levophed and neo-synephrine running along with fentanyl and propofol. Respondent states during a conversation with the rapid response nurse, the husband mentioned his desire to withdraw care for the patient. Respondent states the rapid response nurse and the respiratory therapist extubated the patient, the primary nurse turned off the levophed and neo-synephrine, and she turned off the fentanyl and propofol. Respondent states she stopped the sedatives, and she should have ensured the physician was contacted prior to the withdrawal of care.

## CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555 , the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §§217.11(1)(A),(1)(B),(1)(M),(1)(P),(1)(U)&(3)(A) and 217.12(1)(A),(1)(B),(1)(F)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 821194, heretofore issued to LETICIA ADRIANA BARRAZA, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

## TERMS OF ORDER

### **I. SANCTION AND APPLICABILITY**

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **REPRIMAND WITH STIPULATIONS** in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

### **II. COMPLIANCE WITH LAW**

While under the terms of this Order, RESPONDENT agrees to comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and

Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Order.

### III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. Home study courses and video programs will not be approved.
- B. **The course "Sharpening Critical Thinking Skills,"** a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at [www.bon.texas.gov/compliance](http://www.bon.texas.gov/compliance).*

### IV. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a clinical healthcare setting, **for a minimum of sixty-four (64) hours per month** for eight (8) quarterly periods [two (2) years] of employment. This

requirement will not be satisfied until eight (8) quarterly periods of employment as a nurse have elapsed. Any quarterly period without continuous employment with the same employer for all three (3) months will not count towards completion of this requirement. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
- C. **Incident Reporting for Current Position:** For so long as Respondent remains employed in her current position as a Registered Nurse Clinical Supervisor with Maxim Healthcare Services, Fort Worth, Texas, RESPONDENT SHALL CAUSE her employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.
- D. **Supervision Requirements for Subsequent Positions, if any:** Should Respondent's current position as a Registered Nurse Clinical Supervisor with Maxim Healthcare Services, Fort Worth, Texas, cease or change:
  - 1. **Prior to completing the first year of employment under the terms of this Order, Indirect Supervision will be required** and RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or

a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises for the remainder of the first year [four (4) quarters] of employment as a Nurse under this Order, if any. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

2. **After completing the first year of employment under the terms of this Order, Incident Reporting will be required for the remainder of the stipulation/probation period** and RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.

- E. **Nursing Performance Evaluations:** RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the nurse and/or employer, as applicable, who supervises the RESPONDENT and these reports shall be submitted to the office of the Board at the end of each three (3) month quarterly period for eight (8) quarters [two (2) years] of employment as a nurse.

## **V. RESTORATION OF UNENCUMBERED LICENSE(S)**

Upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

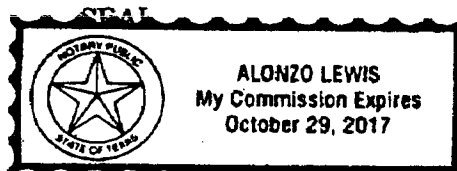
**RESPONDENT'S CERTIFICATION**

I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 14 day of July, 2016.

L - B  
LETICIA ADRIANA BARRAZA, Respondent

Sworn to and subscribed before me this 14 day of July, 2016.



[Signature]  
Notary Public in and for the State of TEXAS

Approved as to form and substance.

Taralynn R. Mackay  
Taralynn R. Mackay, Attorney for Respondent

Signed this 19<sup>th</sup> day of July, 2016.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 14th day of July, 2016, by LETICIA ADRIANA BARRAZA, Registered Nurse License Number 821194, and said Order is final.

Effective this 13th day of September, 20 16.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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Katherine A. Thomas, MN, RN, FAAN  
Executive Director on behalf  
of said Board